

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:14-CV-00138

<p>PNC BANK, N.A., successor to RBC BANK (USA),</p> <p style="text-align:center">Plaintiff,</p> <p>v.</p> <p>II BROTHERS LLC, CHARLES S. GOLDSMITH and CHERIE L. GOLDSMITH,</p> <p style="text-align:center">Defendants.</p>	<p style="text-align:center">CORRECTED DEFAULT JUDGMENT</p>
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Defendants II Brothers LLC, Charles S. Goldsmith and Cherie L. Goldsmith having failed to plead or otherwise defend in this action, and default having heretofore been entered, upon motion of Plaintiff, and upon the Verified Complaint that:

1. The aforesaid Defendants II Brothers LLC, Charles S. Goldsmith and Cherie L. Goldsmith are jointly and severally indebted to Plaintiff on Note 1 in the amount of **\$57,807.47**, which consists of principal of \$49,999.00, accrued but unpaid interest of \$2,470.35, late fees of \$91.18 and attorneys' fees in the amount of \$5,246.94 (calculated as 10% of the outstanding principal and interest owed on Note 1 pursuant to the terms of Note 1 and N.C. Gen. Stat. § 6-21.2); plus per diem interest in the amount of \$11.30 from May 29, 2014 until judgment;

2. Defendants II Brothers LLC and Charles S. Goldsmith are jointly and severally indebted to Plaintiff on Note 2 in the amount of **\$292,536.00**, which consists of principal of \$261,942.00, accrued but unpaid interest of \$3,785.37, and late fees of \$235.89 and attorneys' fees in the amount of \$26,572.74 (calculated as 10% of the outstanding principal and interest owed on Note 2 pursuant to the terms of Note 2 and N.C. Gen. Stat. § 6-21.2); plus per diem interest in the amount of \$19.74 from May 29, 2014 until judgment; and

3. The claims are for a sum certain or for a sum which can by computation be made certain.

IT IS THEREFORE ORDERED, ADJUDGED, and DECREED that:

1. The Motion is GRANTED; and
2. Judgment is entered in favor of PNC Bank, N.A. and against Defendants II Brothers LLC, Charles S. Goldsmith and Cherie L. Goldsmith , jointly and severally, on Note 1 in the amount of \$57,807.47, which consists of principal of \$49,999.00, accrued but unpaid interest of \$2,470.35, late fees of \$91.18 and attorneys' fees in the amount of \$5,246.94 (calculated as 10% of the outstanding principal and interest owed on Note 1 pursuant to the terms of Note 1 and N.C. Gen. Stat. § 6-21.2); plus per diem interest in the amount of \$11.30 from May 29, 2014 until judgment; and
3. Judgment is entered in favor of PNC Bank, N.A. and against Defendants II Brothers LLC and Charles S. Goldsmith, jointly and severally, on Note 2 in the amount of \$292,536.00, which consists of principal of \$261,942.00, accrued but unpaid interest of \$3,785.37, and late fees of \$235.89 and attorneys' fees in the amount of \$26,572.74 (calculated as 10% of the outstanding principal and interest owed on Note 2 pursuant to the terms of Note 2 and N.C. Gen. Stat. § 6-21.2); plus per diem interest in the amount of \$19.74 from May 29, 2014 until judgment; and
4. Post-judgment interest shall accrue on this Judgment at the legal rate from the date of judgment forward.

This Judgment is entered by the Clerk at the request of Plaintiff and upon verification that said amount is due, in accordance with Rule 55(b)(1) of the Federal Rules of Civil Procedure.

This the 29th day of July, 2014.

Signed: July 29, 2014


Frank G. Johns, Clerk
United States District Court

